

## **FISCAL NOTE**

### **SB 2809 - HB 3301**

February 27, 2006

**SUMMARY OF BILL:** Defines "public utility" as it applies to County Highway Commissions. Provides county legislative bodies with multiple authorities regarding the vacation and abandonment of roads. Authorizes owners of the majority of the frontage on any county road or portion thereof to petition county legislative bodies to vacate and abandon the same or any portion thereof. Identifies the responsibilities of County Road Commissioners relating to the vacation and abandonment of roads. Creates requirements and procedures for providing notices of hearings to the public regarding the vacation and abandonment of roads.

### **ESTIMATED FISCAL IMPACT:**


#### **Increase Local Govt. Expenditures – Not Significant**

Assumptions:

- "Public utility" means utilities owned, operated, or maintained by every gas company, electrical company, and telephone company, whether or not such company is privately owned or owned by a governmental entity.
- No county road shall be vacated and abandoned except by majority vote of the county legislative body properly entered, or by operation of law, or judgment of a court of competent jurisdiction.
- According to the Department of Transportation (TDOT), this bill affects county road systems.
- This bill has no fiscal impact upon state government.
- In this bill, the applicable legislative body has the authority to require petitioning citizens to make an appropriate cash deposit or furnish a bond covering all costs and expenses incurred in the examination, report, and proceedings pertaining to the petition.
- The increase of local government expenditures are estimated as not significant.
- This act shall take effect on January 1, 2007.

### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director